

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

NEXIS DAVID BELLORIN  
UMANZOR,

Plaintiff,

v.

ICE FIELD OFFICE DIRECTOR,

Defendant.

CASE NO. C20-0687JLR

ORDER GRANTING MOTION  
TO DISMISS AS MOOT

On November 2, 2020, Magistrate Judge Mary A. Theiler recommended that the court grant in part and deny in part Petitioner Nexis David Bellorin Umanzor's immigration habeas petition. (Report and Recommendation (Dkt. # 11).) Specifically, Magistrate Judge Theiler recommended that the court deny Petitioner's request to obtain release and grant him a bond hearing. (*Id.*) On December 2, 2020, Petitioner was released from Department of Homeland Security ("DHS") custody. (*See* MTD (Dkt.

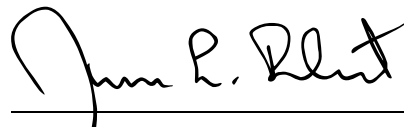
1 # 15), Ex. 1 (“Order of Release”).) Defendant ICE Field Office Director (“the  
2 Government”) now moves to dismiss this action as moot. (*Id.*)

3 The court agrees that Petitioner’s claim is moot. Petitioner has received the relief  
4 sought by his habeas petition. (Pet. (Dkt. # 5) at 2 (requesting that Petitioner be released  
5 on supervised release or, in the alternative, be granted a bond hearing).) The court finds  
6 that no exceptions to mootness apply. Petitioner does not challenge any collateral  
7 consequences of his detention. (*See generally* Pet.) There is no reason to believe that if  
8 DHS were to detain Petitioner again, any alleged violations would evade review. Finally,  
9 while this is a voluntary cessation on the part of the Government, there is no “reasonable  
10 expectation that the alleged wrong will be repeated.” *See Sze v. INS*, 153 F.3d 1005,  
11 1008 (9th Cir. 1998). While Petitioner’s order of supervision contains conditions that  
12 may end his supervised release, such as the commission of crimes or failure to assist  
13 immigration authorities in obtaining necessary travel documents (*see* Order of Release at  
14 3), there is no reasonable expectation that Petitioner will be detained again.

15 For the foregoing reasons the court GRANTS the Government’s motion to dismiss  
16 as moot (Dkt. # 15) and DIRECTS the Clerk to strike the pending objections to the  
17 Report and Recommendation (Dkt. # 12).

18 Dated this 1st day of February, 2021.

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JAMES L. ROBART  
United States District Judge